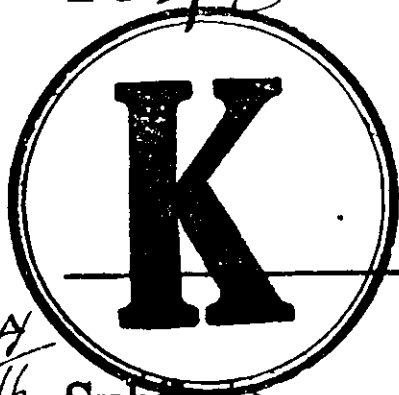


1948

File No. Governor's
Rules II/48



Legal DEPARTMENT
B BRANCH

A
666 Subject:—

Rules and Notifications
under the Government of India
Act, 1935, Bom. Legis. Chambers
(Governor's) Rules.

Prs
Q1

File No.

Std. Sectt. Slip 24 B e.

Governor's Rules II/48

360-B

C O N T E N T S .

Legal Department File No. Governors Rules II/98

Sr. No.	R. I. /O. No.	Subject.	Pages.
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Rules and Notifications
the Government of India
Act, 1935 (Dom. legis.
Chambers (Governors) Rules)
~~Rules~~

1.	<u>13253</u> 22.12.47	Section 84 (2) Notification under.	1-4
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	<u>2225</u> 26.2.48	ction 84(2) D. Notification No.1452 ted 10.2.48 under ---	5-7
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V.M.D. /29-5
5c.

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Legal Department.

Para. 4 of B.L.D. note (p.1). - Since the office of His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States no longer exists, it will be necessary to adapt clause (iv) of sub-rule (2) of rule 33 of the Legislative Assembly Rules. That clause may be amended as follows :

(iv) reflect upon the conduct of His Majesty the General King, or the Governor/~~Minister~~ as distinct from the Government of India or any Governor as distinct from the Provincial Government.

2. Para. 5 of B.L.D. note .- The adaptation suggested by the B.L.D. is correct. The word "and" should be substituted for the word "or" occurring before the expression " The Central Government."

3. In view of the adaptations made in section 84 of the Government of India Act by the India (Provisional Constitution) Order, 1947, the only rules which the Governor can now make are the rules as to procedure in respect of the joint sittings of and communications between the two Chambers. Those rules are rules 24 to 27 of the Bombay Legislative Chamber (Governor(s) Rules, and L.D. will take steps to re- Department to examine them and decide which of them should be incorporated in the Legislative Assembly & Council Rules.

*re-issue them with suitable modification. As regards the other rules in the Bombay Legislative Chambers

4. As the subject " Rules of business of the Provincial Legislature " has been allotted to the Bombay Legislature Department, it would be for that Department ~~to~~ make the necessary amendments in the Legislative Assembly and Council Rules. If necessary, the Department may show the amendments in the

the R.L.A. for scrutiny before they are finally made.

84/- P. M. Ltd.

20.12

Secretary to Government

U.R. to Bombay Legislature Department, No. 1325
dated the 22nd December 1947.

V.M.D. /29-5

4c.

Notification.

Legal Department,

Bombay Castle, 10th February 1948.

Government of
India Act, 1935.

No 1452. - In exercise of the powers conferred by sub-section (2) of section 84 of the Government of India Act, 1935, and in supersession of the Government Notification in the Legal Department, No. 9586, dated the 23rd December 1938, the Governor of Bombay, after consultation with the Honourable the President of the Bombay Legislative Council and the Honourable the Speaker of the Bombay Legislative Assembly, is hereby pleased to make the following rules, namely :-

1. Short title .- (1) These rules may be called the Bombay Legislative Chambers (Governor's) Rules.

2. Definitions .- In these rules --

(a) "Act" means the Government of India Act, 1935, as in force for the time being;

(b) "Assembly" means the Legislative Assembly of the Province of Bombay Constituted under the Act;

(c) "Council" means the Legislative Council of the Province of Bombay constituted under the Act ;

(d) "Member" means a member of the Assembly or the Council, as the case may be :

Provided that a Minister who is not a member and the Advocate General shall be deemed to be members for the purpose of speaking in, moving motions and otherwise taking part in the proceedings of the joint sitting of both the Chambers but shall not by virtue of this rule be entitled to vote on any question or be deemed to be members for the purposes of forming a quorum;

(e) Words and expressions used in the Act and not defined in these rules shall have the meanings

assigned to them in the Act.

3. Convening of Joint Sitting.- A joint sitting of both the Chambers under section 72 of the Act may be convened by the Governor by notification in the Official Gazette.

4. Presiding Officer at a Joint Sitting in the absence of the President.- In the absence of both President, the speaker, and in the absence of both the President and the Speaker, the person appointed by the President ~~the joint sitting~~ shall preside at the joint sitting.

5. Quorum and Procedure at Joint Sitzings.- The presence of at least 10 members of the Council and 30 members of the Assembly shall form the quorum. Except as provided in this rule, the procedure of the Council shall, so far as may be, apply to a joint sitting of both the Chambers.

6. Communications between the two Chambers.- Communications between the two Chambers shall be made by messages and messages from one Chamber to the other shall be sent by the Secretary of one to the Secretary of the other.

By order of the Governor of Bombay,

Sd/- P.M. Iad.

Secretary to Government.

V.M.D. /29.5

4c.